

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CARLETTA JONES,

Plaintiff,

v.

ALLSTATE INSURANCE COMPANY,

Defendant.

Case No. 2:13-cv-13923

Hon. Robert H. Cleland

Magistrate Judge Laurie J. Michelson

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QUALIFIED PROTECTIVE ORDER
AND AUTHORIZATION PURSUANT TO HEALTH INSURANCE
PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)

At a session of said Court held:

on November 19, 2013

PRESENT: ROBERT H. CLELAND
HON. ROBERT H. CLELAND

1. **IT IS HEREBY ORDERED** that this Court authorizes the disclosure and sharing of Plaintiff Carletta Jones' "personal health information" protected under the Health Insurance Portability and Accountability Act (hereinafter "HIPAA") (42 USC §1320d *et seq.*) and the regulations promulgated thereunder (45 CFR §§160, 164 *et seq.*) pursuant to the terms and conditions contained in this Order.
2. **IT IS HEREBY FURTHER ORDERED** that Plaintiff Carletta Jones' health care

providers including, but not limited to examining, testing and/or treating doctors and other medical personnel shall provide copies of all records and may discuss the Plaintiff, Carletta Jones' medical conditions and past, present and future treatment with counsel for the Defendant.

3. **IT IS FURTHER ORDERED** that this Order does not compel the health care provider to participate in an interview or meeting against his or her wishes, nor to occur outside the presence of the health care provider's attorney if he or she wishes to have one present. The purpose of the interview or meeting conducted by attorneys for Defendants and/or their agents is to assist Defendants in defense of the above-referenced action brought by Carletta Jones. The meeting or interview is not at the request of Plaintiff Carletta Jones, however, Plaintiff Carletta Jones and her counsel are on notice of the existence of this order.

4. **IT IS FURTHER ORDERED** that all covered entities under HIPAA, including but not limited to the health care providers, examining, testing and/or treating doctors and other medical personnel of Carletta Jones are authorized and permitted to disclose and/or share Plaintiff Carletta Jones' personal health information to the attorneys or agents of Defendants. The personal health information of Carletta Jones may be provided orally in discussions with Defendant's attorneys and/or agents or in written, visual or other recorded form. The consent of or notice to Plaintiff Carletta Jones and/or her attorneys is not required prior to the disclosure of this information by any health care provider.

5. **IT IS FURTHER ORDERED** that counsel for the Defendant is prohibited from using or disclosing the protected health information for any purpose other than this action, and upon resolution of this action, counsel for the Defendant who receives written or otherwise

recorded protected health care information of the Plaintiff, Carletta Jones, shall destroy or return the information (including all copies made) to the health care provider.

Date: _November 19, 2013

S/Robert H. Cleland
HON. ROBERT H. CLELAND
U.S. DISTRICT COURT JUDGE

I hereby stipulate to entry of the above order:

/s/Leo E. Januszewski (with consent)
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